2602

JOINT COMMITTEE ON FINANCE APPROPRIATION SUMMARY

[reflecting Committee actions through July 10, 1996]

	1995-96	1996-97	1995-97 Biennium
Biennial Appropriation Amount [s. 20.865(4)(a)]	**$11,368,000**	**$34,044,500**	**$45,412,500**
Reserved For:			
H&SS -- CARES Computer System for Econ. Support Progs.	$1,587,000	$1,796,600	$3,383,600
H&SS -- KIDS Computer System for Child Support Enforcement	5,759,200	7,522,100	13,281,300
H&SS -- AFDC Consolidated Child Care	870,900	885,700	1,756,600
H&SS -- Child Care Administration	60,300	65,800	126,100
H&SS -- AFDC Self-Initiated Child Care	76,400	63,600	140,000
WCC -- Minimum Wage Increases	150,000	0	150,000
WI Institute for School Executives Payments	125,000	125,000	250,000
H&SS -- Community Options Program Data Collection	50,000	0	50,000
H&SS -- Self Suffic. First/Pay for Perf. Waivers (Act 12)	2,337,000	2,986,600	5,323,600
H&SS -- W2 Implementation (Act 289)	0	13,000,000	13,000,000
DOC -- Intergovernmental Corrections (Act 416)	0	2,073,800	2,073,800
DOC -- Intensive Sanctions (Act 416)	0	937,900	937,900
DOC -- Secure Work Program (Act 416)	0	183,800	183,800
Milwaukee County Child Welfare Services (Act 303)	0	4,051,400	4,051,400
Sub-total Reserved Balance	$11,015,800	$33,692,300	$44,708,100
Releases from Reserved Balance			
KIDS Computer System for Child Support Enforcement (10/26/95)	$2,316,400	$0	$2,316,400
Self Suffic. First/Pay For Perf. Waivers (12/12/95)	2,274,300	2,986,600	5,260,900
H&SS -- Community Options Program Data Collection (4/16/96)	0	50,000	50,000
H&SS -- Self Suffic. First/Pay for Perf. Waivers (4/16/96)	0	62,700	62,700
WI Institute for School Executives Payments (4/16/96)	250,000	0	250,000
DILHR -- KIDS Computer System (6/27/96)	0	4,303,200	4,303,200
Total Releases	$4,840,700	$7,402,500	$12,243,200
Remaining Reserved Balance	**$6,175,100**	**$26,289,800**	**$32,464,900**
Net Unreserved Balance Available	**$352,200**	**$352,200**	**$704,400**
Releases from Unreserved Balance			
Judicial Commission-Judicial Council Meeting Expense (12/12/95)	$10,000	$10,000	$20,000
UW System/UW-Extension Pay Plan Funding (12/12/95)	56,900	0	56,900
H&SS -- COP Data Collection (4/16/96)	0	137,300	137,300
HEAB -- Academic Excellence Scholarships (4/16/96)	85,400	0	85,400
DPI -- HEAB Secretary Project Position (6/27/96)		78,900	78,900
DHFS -- TPR Prosecution in Milwaukee Co. (6/27/96)		430,200	430,200
Courts -- Court Interpreter Reimbursement (7/10/96)	27,000	17,700	44,700
Total Releases	$179,300	$674,100	$853,400
Transfers to Committee's Appropriation			
From DHSS s.20.435(2)(b) (6/27/96)		$518,600	$518,600
From DOC s.20.410(1)(a) (6/27/96)		$104,700	$104,700
Net Unreserved Balance Remaining	**$172,900**	**$301,400**	**$474,300**
TOTAL AVAILABLE			
(Net Reserved & Unreserved Balance Remaining)	**$6,348,000**	**$26,591,200**	**$32,939,200**

I. Consideration of the Governor's Partial Veto of the Joint Committee on Finance Actions Adopted at its July 10, 1996, s. 13.10 Meeting.

Staff Recommendation:
Fund the Position

Legislative Fiscal Bureau
One East Main, Suite 301 • Madison, WI 53703 • (60

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Consideration of the Governor's Partial Veto of the Joint Committee on Finance Actions Adopted at its July 10, 1996, s. 13.10 Meeting -- Agenda Item I

On July 31, 1996, the Joint Committee on Finance received the signed minutes from the Governor for the Committee's July 10, 1996, meeting under s. 13.10 of the statutes. In forwarding the signed minutes, the Governor indicated that he had vetoed, in its entirety, Agenda Item XVIII which provided $87,200 GPR and 1.0 GPR position in 1996-97 to assist the Chief Justice of the Wisconsin Supreme Court in performing the administrative duties associated with that office.

Pursuant to s. 13.10(4) of the statutes, the Co-chairs have included this item on the agenda to be considered at this meeting, to determine whether the position of the Committee on this item should be upheld, notwithstanding the objections of the Governor.

On the matter of the Governor's veto of Agenda Item XVIII, the question before the Committee at this time is as follows:

> Shall the July 10, 1996, action of the Joint Committee on Finance on Agenda Item XVIII authorizing $87,200 GPR and 1.0 GPR position in 1996-97 to assist the Chief Justice in performing administrative duties associated with that office be upheld, notwithstanding the objection of the Governor?

To uphold the original actions of the Committee, eleven affirmative votes are required.

In order to assist the Committee members in deciding this question, copies of the following documents are attached to this memorandum: (1) the Governor's veto message to the Committee; (2) the portion of the minutes of the Committee's July 10, 1996, actions showing the vetoed

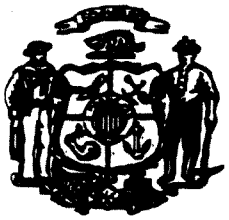
language along with the signature page of those minutes; and (3) the Legislative Fiscal Bureau's June 27, 1996, paper originally prepared on Agenda Item XVIII.

Prepared by: Carri Jakel
Attachments

MO#_____

BURKE	Y	N	A
ANDREA	Y	N	A
GEORGE	Y	N	A
DECKER	Y	N	A
JAUCH	Y	N	A
WINEKE	Y	N	A
WEEDEN	Y	N	A
COWLES	Y	N	A
BRANCEL	Y	N	A
FOTI	Y	N	A
SCHNEIDERS	Y	N	A
OURADA	Y	N	A
HARSDORF	Y	N	A
PORTER	Y	N	A
LINTON	Y	N	A
COGGS	Y	N	A

AYE 7 NO 7 ABS 2



TOMMY G. THOMPSON

Governor
State of Wisconsin

July 30, 1996

The Honorable Brian B. Burke, Co-Chair
The Honorable Ben Brancel, Co-Chair
Members, Joint Committee on Finance
119 Martin Luther King, Jr. Blvd.
P. O. Box 7882
Madison, WI 53707-7882

Dear Senator Burke, Representative Brancel and Members:

Attached are the signed minutes of the July 10, 1996 s. 13.10 meeting, continued from June 27, 1996.

Pursuant to the provisions of s. 13.10(4), I am objecting to the Committee's action under Item XVIII of the minutes.

Under Item XVIII, the Joint Committee on Finance authorized $87,200 GPR (including one-time funding of $5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice of the Supreme Court in performing the administrative duties of that office. I am vetoing this item entirely because it should more appropriately be addressed in the 1997-99 biennial budget process where the resource needs of the court can be fully evaluated. Given the critical fiscal pressures facing the courts and the rest of Wisconsin's justice system (including the present demands on district attorneys, the Department of Corrections, law enforcement and the State Public Defender), the Supreme Court should look to reallocate existing staff to perform administrative duties as has been done in the past.

Sincerely,

TOMMY G. THOMPSON
Governor

Room 115 East, State Capitol, P.O. Box 7863, Madison, Wisconsin 53707 • (608) 266-1212 • FAX (608) 267-8983

XV. Department of Development

Moved by Representative Brancel and seconded by Senator Burke to transfer $8,500 GPR from the DOD general operations appropriation under s. 20.143(1)(a) to the appropriation under s. 20.143(1)(fd) to increase funding for the DOD contract with the Office of Rural Health.

Ayes, 13; Noes, 2 (Jauch, Weeden); Absent, 1 (George)

XVI. Wisconsin Conservation Corps

[The co-chair placed this item on the table subject to future recall by the co-chairs.]

XVII. Supreme Court

Moved by Representative Brancel and seconded by Senator Burke to approve the Director of State Court's request for a supplement from the Committee's appropriation of $27,000 GPR in 1995-96 and $17,700 GPR in 1996-97 for court interpreter reimbursement.

Ayes, 14; Noes, 1 (Cowles); Absent 1 (George)

Secretary's Note: The appropriation receiving the supplement is under s. 20.625(1)(c) from the Committee's appropriation under s.20.865(4)(a).

XVIII. Supreme Court

Moved by Senator Burke and seconded by Senator Decker to approve the Director of State Court's request for $87,200 GPR (including one-time funding of $5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice in performing the administrative duties of the office.

Ayes, 13; Noes, 2 (Cowles, Brancel); Absent, 1 (George)

Secretary's Note: The appropriation increase and position are authorized under s. 20.680(1)(a).

XX. Department of Administration

Moved by Representative Brancel and seconded by Senator Burke to approve the Chapter 20 schedules and corresponding summaries, as prepared by the Department of Administration and the Legislative Fiscal Bureau, subject to final approval by the Co-chairs of the Joint Committee on Finance.

Ayes, 15; Noes, 0; Absent, 1 (George)

Educational Technology Board

Shall the April 16, 1996 action of the Joint Committee on Finance on Agenda Item XVII-E directing the Educational Technology Board to seek a statutory change as part of its next biennial budget request to permit the waiver of the 25% local match requirement for Pioneering Partners grants be upheld, notwithstanding the objection of the Governor?

Ayes, 10; Noes, 5 (Weeden, Cowles, Foti, Schneiders and Ourada); Absent, 1 (George)

Secretary's Note: The Governor's vetoes were sustained.

The presiding Co-chair made a unanimous consent request to receive the report submitted (as required under s. 16.50 showing the number of federally funded positions approved during January 1 - March 31, 1996). Without objection, it was so ordered.

Daniel Caucutt, Secretary

Date: July 18, 1996

Brian Burke, Co-Chair

Date: July 22, 1996

Tommy G. Thompson, Governor

Date: July 30, 1996

Legislative Fiscal Bureau
One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 27, 1996

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Supreme Court--Section 13.10 Request for 1.0 Full-Time Position--Agenda Item XVIII

The Director of State Courts, on behalf of the Supreme Court, requests 1.0 GPR position beginning in 1996-97 to perform administrative functions for the Chief Justice of the Supreme Court. The position would be funded from the Supreme Court's sum sufficient GPR appropriation.

BACKGROUND

As provided in Article VII of the Wisconsin Constitution, the Supreme Court consists of seven justices elected to ten-year terms. The justice with the longest seniority serves as Chief Justice, unless he or she chooses otherwise. The Chief Justice of the Supreme Court is the administrative head of the Wisconsin judicial branch. The Constitution provides that the Chief Justice shall exercise administrative authority pursuant to procedures adopted by the Supreme Court. Chief Justice Roland Day is retiring on July 30, 1996, and Justice Shirley Abrahamson will become Chief Justice on August 1, 1996.

Under s. 751.02, each justice has the authority to appoint and prescribe the duties of a secretary and a law clerk to assist the justice in performing his or her duties. In addition, the Supreme Court has authority to allocate court employees as it considers necessary for the execution of functions of the Supreme Court as well as the state court system as a whole.

ANALYSIS

While there is no formal job description for the new position, Court officials indicate that the person would be directly assigned to, hired by and serve at the pleasure of the Chief Justice to assist in the additional administrative duties associated with the office. The position would

perform duties as prescribed by the Chief Justice which may include: (a) staffing special committees, commissions, task forces and programs the new Chief Justice is developing including one that involves bringing community volunteers into the courts; (b) coordinating special events such as conferences and symposia; (c) representing the Chief Justice at meetings and other public events; and (d) drafting and editing speeches and other correspondence. No salary level has been set, however court officials currently anticipate approximately $60,000 annually ($87,200 including fringe benefits, supplies and one-time costs of $5,700).

Court officials indicate that the new position is needed because the Chief Justice, unlike the heads of other agencies, does not employ any personal staff whose primary responsibility is to assist him or her with the duties associated with being the administrator of the judicial branch of government. The Supreme Court's sum sufficient appropriation funds the seven justices, their law clerks and secretaries, in addition to three court commissioners and two legal secretaries assigned to them, two marshals and the office of the clerk of the Supreme Court. However, also funded from that appropriation is a position referred to as an administrative assistant to the Chief Justice and an executive secretary for the administrative assistant.

The Wisconsin Supreme Court Internal Operating Procedures describes the administrative assistant to the Chief Justice position as an attorney licensed to practice law in Wisconsin who is hired by and serves at the pleasure of the Chief Justice and who, under the direction of the Chief Justice: (a) serves as a liaison between the Chief Justice and the court offices and staff, court boards, committees, State Bar and governmental agencies; (b) is a legal advisor to the office of the clerk and Director of State Courts; (c) performs research, analyzes information and makes recommendations to the Chief Justice regarding court operations and procedures; (d) performs court commissioner duties; (e) assists the Chief Justice in the exercise of the court's administrative authority; and (f) assists the court and individual justices as directed by the Chief Justice.

While previous Chief Justices have not had any additional staff to assist in administrative duties associated with that position, Court officials indicate that past justices were able to use the existing administrative assistant position to assist with such duties on a one-quarter time to one-third time basis. However, over the past ten years the number of cases filed in the Supreme Court has increased 32% (1,124 cases filed in 1995 compared to 852 cases filed in 1985). Further, case filings are expected to rise to 1,300 cases this year. As a result, a majority of the administrative position's time (approximately 95%) is required to attend to legal duties related to the increased number of cases presented to the Court.

It should be noted that the Supreme Court also funds, under separate sum certain appropriations, the Director of State Courts' Office which, by Supreme Court Rule, is charged with the responsibility of the overall management of the judicial system. The Director is referred to as the chief nonjudicial officer of the state court system and is responsible for development of the budget, hiring and salary establishment of court personnel (except for the personal staffs of the justices and judges), acting as a legislative liaison, providing public information, providing a court information system, coordinating judicial education, providing planning and research for

the court system and staffing various judicial committees. The Office of the Director of State Courts employs 62.5 GPR positions to assist in the administration of the state courts. The Director serves at the pleasure of the Supreme Court, under the direction of the Chief Justice.

While the Director of State Courts is responsible for day-to-day administration of the state court system, Court officials indicate that due to the often confidential matters of the Court, the Director cannot act as a personal assistant to the Chief Justice. Therefore, the request for such a position was advanced.

On the other hand, according to the Court's preliminary position description, a predominant number of the responsibilities that would be associated with the new position are already either assigned to the Director of State Courts by Supreme Court Rule (such as staffing committees), performed by the administrative assistant (on a part-time basis) or could be assigned to other justices (such as representing the Chief Justice at various events). However, Court officials indicate that the new Chief Justice requires assistance to pursue a variety of new initiatives that will improve the relationship between courts and communities and the quality of justice in Wisconsin.

It could be argued that the request for additional position authority would be more appropriately addressed in 1997-99 budget deliberations. If a personal assistant is an overriding priority at this time the Court could (a) assign these duties to the current administrative assistant position; and/or (b) use existing staff within the Director of State Courts' Office to perform research and staff committees as provided under Supreme Court Rule. However, Court officials argue that existing staff cannot be diverted for this purpose due to increasing workload demands in the Director of State Courts' Office over recent biennia. Further, since the new Chief Justice will begin her term on August 1, 1996, with new programs that may be ready to be implemented (such as "Volunteers in the Courts" and a number of other community outreach initiatives being developed), it is argued that the request should be approved at this time in order to allow her to adequately discharge the duties of Chief Justice.

Since the requested position would be funded from a sum sufficient appropriation, no funds were requested. However, there would be a cost to the state for the position of approximately $81,500 annually in addition to one-time costs of $5,700.

ALTERNATIVES

1. Approve the Director of State Courts' request for $87,200 GPR (including one-time funding of $5,700) and 1.0 GPR position beginning in 1996-97 to assist the Chief Justice in performing the administrative duties of the office.

2. Deny the request.

Prepared by: Carri Jakel

STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

100 North Hamilton
P.O. Box 7882
Madison, WI 53707-7882
Phone: 266-8535

ASSEMBLY CHAIR
BEN BRANCEL

119 Martin Luther King Blvd.
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Madison, WI 53708-8952
Phone: 266-7746

JOINT COMMITTEE ON FINANCE

August 7, 1996

TO: Members
Joint Committee on Finance

FROM: Representative Ben Brancel, Assembly Chair
Senator Brian Burke, Senate Chair
Joint Committee on Finance

SUBJECT: Meeting of the Joint Committee on Finance to Consider the Governor's Partial Veto of Committee Actions Adopted at Its July 10, 1996, s. 13.10 Meeting

On July 31, 1996, we received the signed minutes from the Governor for the Committee's July 10, 1996, meeting under s. 13.10 of the statutes. In forwarding the signed minutes, the Governor indicated that he had vetoed, in its entirety, the Committee's action on Agenda Item XVIII. Under that item, the Committee approved the request of the Director of State Courts for $87,200 GPR and 1.0 GPR position in 1996-97 to assist the Chief Justice in performing the administrative duties of that office.

Pursuant to s. 13.10(4) of the statutes, we are calling a meeting of the Joint Committee on Finance to determine whether the position of the Committee on this agenda item should be upheld, notwithstanding the objection of the Governor.

The Committee will meet to consider this matter on Thursday, September 26, 1996, at 9:00 a.m.

Attached to this memorandum is a copy of the Governor's veto message, that portion of the minutes that was vetoed and the signature page of the minutes of the July 10, 1996, meeting.

Attachment
BB/BB/nb

cc: Dan Caucutt, Committee Secretary

TOMMY G. THOMPSON

Governor
State of Wisconsin

July 30, 1996

The Honorable Brian B. Burke, Co-Chair
The Honorable Ben Brancel, Co-Chair
Members, Joint Committee on Finance
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Sincerely,

Tommy Thompson

TOMMY G. THOMPSON
Governor

Room 115 East, State Capitol, P.O. Box 7863, Madison, Wisconsin 53707 • (608) 266-1212 • FAX (608) 267-8983

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Daniel Caucutt, Secretary

Date: July 18, 1996

Brian Burke, Co-Chair

Date: July 22, 1996

Tommy G. Thompson, Governor

Date: July 30, 1996